

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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LAWRENCE THOMAS,

Plaintiff,

v.

CUMBERLAND COUNTY, et al.,

Defendants.

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Civil Action  
No. 09-1323 (JBS/JS)

**ORDER**

This matter having come before the Court on motions in limine filed by Plaintiff [Docket Item 140] and by Defendant [Docket Items 141-143 & 145]; for the reasons stated in the Opinion of today's date; and for good cause shown;

IT IS this 30th day of August, 2012 hereby

ORDERED that Plaintiff's motion [Docket Item 140] in limine will be **GRANTED IN PART AND DENIED IN PART**; the motion is **GRANTED** as to the following: Defendant will be barred from introducing evidence of Plaintiff's history of drug addiction and methadone treatment, his prior criminal and incarceration history, and Defendant will also be barred from introducing the expert report or expert opinion testimony from Defendant's liability expert Harry D. Chance; the motion is **DENIED** as to the following: Defendant will not be barred from introducing non-hearsay testimony referring to Plaintiff as a thief; and it is further

ORDERED that Defendant's motion to exclude the opinion testimony of Investigator Seitzinger [Docket Item 142] will be **DENIED**; and it is further

ORDERED that Defendant's motions [Docket Items 141 & 145] to exclude introduction of the expert report or expert testimony of Dr. Kiekbusch is **GRANTED IN PART AND DENIED IN PART**; the motion is **GRANTED** as to testimony related to Dr. Kiekbusch's first three opinions, but it is **DENIED** as to his fourth and fifth opinions; and it is further

ORDERED that Defendant's motion [145] to exclude evidence and testimony related to: (1) classification of inmates at Cumberland County Correctional Facility; (2) the discretion of the Warden; (3) any disciplinary sanctions imposed on Defendant Martinez following Plaintiff's injuries; and (4) Plaintiff's medical bills stemming from his injuries related to this action that were paid by Cumberland County are **GRANTED**; and it is further

ORDERED that Defendant's motion [143] in limine shall be denied as duplicative.

**s/ Jerome B. Simandle**  
JEROME B. SIMANDLE  
Chief U.S. District Judge